

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

KEVIN COLIZZA,
Plaintiff,

v.

AMIN KAMEL and
NOVARTIS INSTITUTES FOR
BIOMEDICAL RESEARCH, INC.
Defendants.

C.A. No. 1:14-cv-10191-PBS

JOINT MOTION TO EXTEND DISCOVERY AND RELATED DEADLINES

Plaintiff Kevin Colizza (“Plaintiff”) and Defendants Amin Kamel (“Kamel”) and Novartis Institutes for Biomedical Research, Inc. (“NIBR,” and with Kamel, “Defendants”) hereby submit this Joint Motion to Extend Discovery and Related Deadlines. Due to scheduling conflicts arising from, among other things, the trial schedules of the parties’ counsel, the parties respectfully request that all applicable deadlines be extended for six (6) weeks, as set forth below.

1. Pursuant to the Court’s instruction and the agreement reached by the parties, the following schedule was to govern discovery and dispositive motions in this case:

- **June 30, 2014:** Deadline for completion of three depositions: (a) Plaintiff, (b) Kamel, and (c) Stephen Tyler, the father of Plaintiff’s girlfriend. No other depositions are permitted without prior Court approval.
- **July 9, 2014:** Court-sponsored mediation.
- **October 31, 2014:** Deadline for all written and other fact discovery.
- **November 14, 2014:** Deadline to file any motion pursuant to Fed. R. Civ. P. 56.
- **December 5, 2014:** Deadline to file any opposition to any FRCP 56 motion.
- **December 12, 2014:** Deadline to file any reply.

- **January 13, 2015:** Hearing on any FRCP 56 motion(s).

2. The parties have been able to schedule the depositions of Stephen Tyler (the father of the plaintiff's girlfriend) for May 22, 2014 and of the Plaintiff for May 28, 2014. However, despite their best efforts, due to numerous conflicts, including without limitation the trial schedules of the parties' counsel between now and the end of June, the parties have not been able to schedule the deposition of Mr. Kamel and will not be able to schedule it before the June 30, 2014 deadline.

3. The parties jointly request that the June 30, 2014 deadline for initial fact discovery be extended by six weeks, and that all other deadlines and dates be similarly extended, resulting in the following proposed amended deadlines:

- **August 11, 2014:** Deadline for completion of three depositions: (a) Plaintiff, (b) Kamel, and (c) Stephen Tyler, the father of Plaintiff's girlfriend.
- **August or September, 2014:** Court-sponsored mediation.
- **December 12, 2014:** Deadline for all written and other fact discovery.
- **January 2, 2015:** Deadline to file any motion pursuant to Fed. R. Civ. P. 56.
- **January 23, 2015:** Deadline to file any opposition to any FRCP 56 motion.
- **January 30, 2015:** Deadline to file any reply.
- **Hearing on any FRCP 56 motion(s):** On a date to be scheduled at the Court's convenience, after January 30, 2015.

4. The parties have not previously requested any extension of these deadlines and respectfully submit that it is in the interests of the parties and the Court that they be permitted to extend the deadlines as set forth above. The parties request that the Court reschedule the mediation for a date in late August or early September 2014.

5. WHEREFORE, Plaintiff and Defendants respectfully request that the Court grant their Joint Motion to Extend Discovery and Related Deadlines.

Respectfully submitted,

Plaintiff,
KEVIN COLIZZA,
By his attorneys,

/s/ Hope C. Button

Raipher D. Pellegrino (BBO#560614)
Hope C. Button (BBO#600604)
Raipher D. Pellegrino Associates, P.C.
265 State Street
Springfield, MA
Telephone: (413) 746-4400
Telecopier: (413) 746-2816
rdp@rdpalaw.com
hcb@rdpalaw.com

Respectfully submitted,

AMIN KAMEL and NOVARTIS INSTITUTES FOR
BIOMEDICAL RESEARCH, INC.,

By their attorneys,

/s/ Jeffrey M. Burns

Lynn A. Kappelman (BBO #642017)
Jeffrey M. Burns (BBO #661448)
SEYFARTH SHAW, LLP
Two Seaport Lane, Suite 300
Boston, MA 02210
Tel.: (617) 946-4800
Fax: (617) 946-4801
lkappelman@seyfarth.com
jburns@seyfarth.com

Dated: May 16, 2014

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of May 2014, a copy of the foregoing document was filed electronically through the Court's ECF system and that counsel for Plaintiff are registered users of the ECF system.

/s/ Jeffrey M. Burns

Jeffrey M. Burns